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Attorneys for Defendants Romi Mayder, Wesley Mayder,
 Silicon Test Systems Inc., and Silicon Test Solutions LLC

United States District Court
 Northern District of California, San Jose Division

VERIGY U.S. INC., a Delaware corporation

Plaintiff,

vs.

ROMI OMAR MAYDER, an individual;
 WESLEY MAYDER, an individual;
 SILICON TEST SYSTEMS INC., a
 California corporation; SILICON TEST
 SOLUTIONS LLC, a California limited
 liability corporation,

Defendants.

Case No. 5:07-cv-04330 (RMW) (HRL)

**Declaration of Kevin M. Pasquinelli in Response
 to Plaintiff's Administrative Motion for Leave to
 File Documents Under Seal Regarding Motion to
 Compel**

Date: October 19, 2007
 Time: 10:00 a.m.
 Judge: Hon. Howard R. Lloyd

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1 I, Kevin M. Pasquinelli, declare as follows:

2 1. I am an attorney with the law firm of Mount & Stoelker, P.C., counsel for the
3 Defendants in this action, Romi Mayder, Wesley Mayder, Silicon Test Systems Inc., and Silicon Test
4 Solutions LLC (collectively, "Defendants"). I have personal knowledge of the facts set forth in this
5 declaration and, if called upon to testify in this Court as to those facts, my testimony would be as
6 stated herein.

7 2. I submit this declaration in response to Defendants' Administrative Motion For Leave
8 To File Documents Under Seal dated October 2, 2007 as required by Northern California Local
9 District Rule 79-5(d). L.R. 79-5(d) requires that when party submits a file under seal designated
10 confidential by the opposing party, the "the designating party must file with the Court and serve a
11 declaration establishing that the designated information is sealable, and must lodge and serve a
12 narrowly tailored proposed sealing order, or must withdraw the designation of confidentiality."

13 3. I have reviewed the following materials:

14 (a) The Declaration of Melina M. Morton in Support of Plaintiff's Motion to Compel:

- 15 i. Exhibit D: Defendant Silicon Test Systems, Inc.'s Response to Request
16 for Production of Documents and Things (Set One)
- 17 ii. Exhibit E: Defendant Romi Omar Mayder's Response to Request for
18 Production of Documents and Things (Set One)
- 19 iii. Exhibit F: Document Production SITES001423 – Emails between
20 Wesley Mayder and Romi Mayder.
- 21 iv. Exhibit K: Email and Production of Documents

22 4. The above-identified materials each contain information that has been designated
23 "Confidential" or "Highly Confidential — Attorneys' Eyes Only" by Defendants under the Stipulated
24 Protective Order.

25 5. I have concluded that Defendants' confidentiality interest overcomes the right of
26 public access to the record, as a substantial probability exists that Defendants' overriding
27 confidentiality interests will be prejudiced if the record does not remain sealed. The proposed sealing
28

1 is narrowly tailored, and I am not aware of any less-restrictive means to achieve these overriding
2 interests.

3
4 I declare under penalty of perjury under the laws of the United States that the foregoing is true
5 and correct and that this declaration was executed on the date below at San Jose, California.

6
7 Dated: October 31, 2007

Mount & Stoelker, P.C.
Kevin M. Pasquinelli

8
9 /s/

Attorneys for Defendants Romi Mayder, Wesley Mayder,
Silicon Test Systems Inc., and Silicon Test Solutions LLC

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